

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	No. 3:09-CR-163
)	(Phillips)
MORRIS E. NANCE, JR.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

On September 17, 2010, the Honorable H. Bruce Guyton, United States Magistrate Judge, filed a Report and Recommendation (“R&R”) [Doc. 54] in which he recommended to deny Defendant’s Motion to Suppress [Doc. 21]. The parties appeared before Judge Guyton for an evidentiary hearing on July 23, 2010. Defendant filed a post-hearing brief on August 20, 2010. [Doc. 52]. The United States filed its post-hearing brief on August 20, 2010. [Doc. 53]. Neither party filed timely objections.

Having reviewed the R&R [Doc. 54], the Court finds itself in agreement with Judge Guyton’s conclusion that the Motion to Suppress [Doc. 21] should be denied. While the Court agrees with the majority of Judge Guyton’s legal analysis, it does not accept it in its entirety. Nonetheless, because there were no timely objections by the Defendant, *see* 28 U.S.C. § 636(b)(1), and because the Court agrees with the majority of Judge Guyton’s analysis, the R&R [Doc. 54] is hereby **ACCEPTED**. Accordingly, for the reasons articulated by Judge Guyton in the R&R [Doc. 54], Defendant’s Motion to Suppress [Doc. 21] is **DENIED**.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge